IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 24TH JULY 2007 / 2ND SRAVANA 1929

Bail Appl..No. 4470 of 2007()

CRMP.2448/2007 of DISTRICT COURT, PALAKKAD
[CRIME NO.226/2007 OF VADAKKANCHERY POLICE STATION]

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PETITIONERS/ACCUSED 1,2 AND 4 TO 8

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1. SUDEVAN, AGED 24 YEARS, S/O. CHINA,
   ORAKUNNANKADU, ANCHUMOORTHYMANGALAM, ALATHUR,
   PALAKKAD DISTRICT.

2. SUKUMARAN, AGED 26 YEARS, S/O. KANDAN,
   RESIDING AT ORAKUNNANKADU, ANCHUMOORTHYMANGALAM,
   ALATHUR, PALAKKAD DISTRICT.

3. REGHU, AGED 25 YEARS, S/O. GOVINDAN,
   ORAKUNNANKADU, ANCHUMOORTHYMANGALAM, ALATHUR,
   PALAKKAD DISTRICT.

4. MADHU, AGED 25 YEARS, S/O. REKKAN,
   ORAKUNNANKADU, ANCHUMOORTHYMANGALAM, ALATHUR,
   PALAKKAD DISTRICT.

5. SURENDRAN, AGED 26 YEARS, S/O. MANU,
   ORAKUNNANKADU, ANCHUMOORTHYMANGALAM, ALATHUR,
   PALAKKAD DISTRICT.

6. PARAMAN @ PARAMESWARAN, AGED 28 YEARS,
   S/O. SANKARAN, ORAKUNNANKADU,
   ANCHUMOORTHYMANGALAM, ALATHUR, PALAKKAD DISTRICT.

7. MURALI, AGED 26 YEARS, S/O. CHANDRAN,
   ORAKUNNANKADU, ANCHUMOORTHYMANGALAM, ALATHUR,
   PALAKKAD DISTRICT.

BY ADV. SRI.K.P.BALAGOPAL

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
   THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
   VADAKKENCHERRY POLICE STATION, PALAKKAD DISTRICT.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.4470 of 2007

Dated this the 24th day of July 2007

O R D E R

Application for regular bail. The petitioners face allegations inter alia under Sections 308 and 326 read with 149 I.P.C. Altogether there are nine accused persons. Accused 3 and 9 have already been granted bail as per order dated 8/6/2007 in B.A.No.3325/2007 by another Bench of this Court. The petitioners surrendered before the learned Magistrate on 16/6/2007 and continue to be in custody, their applications for bail having been dismissed by the learned Magistrate and the learned Sessions Judge. The crux of the allegations is that nine accused persons were members of an unlawful assembly of persons who, an account of prior animosity, attacked the victim with dangerous weapons - swords, sticks etc. The investigation is now complete. Final report has already been filed. The petitioners continue in custody from 16/6/2007.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not seriously oppose the said prayer, final report having already been filed and I am satisfied

that the petitioners can now be released on bail subject to appropriate and strict conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) They shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Sundays, for a period of two months from the date of their release. Thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007